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EXAMINER

LU, SHIRLEY

ART UNIT PAPER NUMBER

2612

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/932,282	GATTO ET AL.	
	Examiner	Art Unit	
	Shirley Lu	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28, 33, 34, 37 and 38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28, 33-34, 37-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In regards to applicant's interview request on 8/21/06, applicant was under the impression that a response from the office was forthcoming. That was not the case.

As applicant's request for clarification to claim 1, see figure 2. Elements 124 and 104 are directly coupled to each other, and the signal is sent between the two without broken continuity. Note 112 rejection.

Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

a. Applicant argues on page 19 that official notice was improperly taken.

Examiner cites MPEP 2144.03. 'To adequately traverse such a finding, an applicant must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. See 37 CFR 1.111(b).'

Claim 1 is objected to because of the following informalities: "that a digital signal at presented at the input of is carried unchanged over the first digital bus to the output" should instead read "that a digital signal presented at the input is carried unchanged over the first digital bus to the output." Appropriate correction is required.

Election/Restrictions

Claims 29-32, 35-36, 39-44, and 47-77 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no

Art Unit: 2612

allowable generic or linking claim. Election was made **without** traverse in the reply filed on 10/21/05.

Information Disclose Statement

The information disclosure statement filed 8/17/01 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant argues 'uninterrupted' signal between the input and

Art Unit: 2612

output, whereas the amended limitation recites an 'unchanged' signal. Applicant does not disclose an unchanged signal. Rather, an uninterrupted signal between the input and output is disclosed, page 16, lines 1-15; page 22-23. For the purposes of the action, 'unchanged' will be read as 'uninterrupted.'

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim(s) 1-3, 10-16, 24, and 37 is/are rejected under 35 U.S.C. 102(e) as being anticipated by D'Luna et al. (20020106018).

As to claim 1, D'Luna discloses:

Art Unit: 2612

An interactive TV device, comprising: an input, the input being configured to accept a plurality of input streams; an output, the output being configured to selectively output a plurality of output streams (fig. 2 elements 102, 106, 118 [0035]; fig. 12);

a first digital bus coupled between the input and output, the first digital bus being uninterrupted between the input and the output such that a digital signal at presented at the input of is carried unchanged over the first digital bus to the output [fig. 2, elements 124 to 104 to 111/106, the bus between elements 124 to 104 and 104 to 11/106 are indeed uninterrupted];

an analog bus connected between the input and the output, the analog bus including a video signal decoder coupled to the input and a video signal encoder coupled to the output [fig. 2, elements 124 to 106 to 102];

a graphics processing assembly coupled to the first digital bus and to the analog bus ([fig. 2, element 102]).

As to claim 2, D'Luna discloses:

the input is configured to accept an input stream selected from a group including an analog video source, a digital video source, an IP connection, a video stream from a data carrier (fig. 2; [0035]), a video stream from a video camera, an IR connection, a wireless connection, a Universal Serial Bus-compatible port and the output of the interactive TV device.

As to claim 3, D'Luna discloses:

Art Unit: 2612

the output is configured to selectively output a video stream to at least one of a plurality of TV outputs (fig.1; [0033]), a disk recorder, to the input of the device, to a network, to a Universal Serial Bus-compatible port, to a SCART-compatible port and to a computer display.

As to claim 10, D'Luna discloses:

further including a watchdog processor, the watchdog processor being coupled to the analog bus and the command bus and being configured to monitor a state of the device and to monitor and regulate traffic on the analog and command buses ([0035]; [0040-0042]; [0047]; [0119-0120]).

As to claim 11, D'Luna discloses:

the graphics processing assembly includes first graphics engine and a second graphics engine (fig. 2 elements 102, 106, 118 [0035]; fig. 12).

As to claim 12, D'Luna discloses:

the first graphics engine includes a hardware video encoder and a hardware video decoder, both the video encoder and decoder being coupled to the digital bus and to the analog bus (fig. 2, elements 118, 106).

As to claim 13, D'Luna discloses:

the hardware video encoder and the hardware video decoder conform to a Motion Pictures Expert Group (MPEG) standard [0035].

Art Unit: 2612

As to claim 14, D'Luna discloses:

further comprising a Central Processing Unit (CPU) coupled between an output of the video encoder and an input of the video decoder, the CPU also being coupled to the digital bus (fig. 2, elements 114, 118, 106, 104, 111/106).

As to claim 15, D'Luna discloses:

the second graphics engine includes a graphics processor coupled to the CPU (fig. 2, elements 114, elements 106, 111/106).

As to claim 16, D'Luna discloses:

the graphics processing assembly further includes a video controller coupled to the CPU and the output (fig. 2, element 112).

As to claim 24, D'Luna discloses:

further comprising at least one of a smart card reader and a magnetic card reader [0043].

As to claim 37, D'Luna discloses:

further comprising means for Web browsing [0114].

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim(s) 4-9, 27-28, and 33-34 is/are rejected under 35 U.S.C. § 103(a) as being unpatentable over D'Luna et al. (20020106018).

As to claim 4,

Although D'Luna discloses a satellite ([0027]; [0033]), but does not specifically disclose the digital bus is configured as a Digital Video Bus (DVB), the examiner gives Official Notice that it is notoriously well known in the art to utilize a Digital Video Bus (DVB). Accordingly, it would have been obvious to one of ordinary skill in the art to modify D'Luna in order to enjoy the benefits of DVB because of its tight integration with the Internet Protocol through IP Encapsulation. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

As to claim 5,

Although D'Luna does not specifically disclose the input further comprises an input multiplexer coupled to the input, the input multiplexer being configured to selectively route at least one of the plurality of input video streams onto at least one of the digital bus and the analog bus, the examiner gives Official Notice that it is notoriously well known in the art to utilize a selector to choose between multiple routes. Accordingly, it

Art Unit: 2612

would have been obvious to one of ordinary skill in the art to modify D'Luna in order allow the circuit to select a designated bus. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

As to claim 6,

Although D'Luna does not specifically disclose the output further comprises an output multiplexer coupled to the output, the output multiplexer being configured to selectively route at least one video signal from at least one of the digital bus and the analog bus to the output, the examiner gives Official Notice that it is notoriously well known in the art to utilize a selector to choose between multiple routes. Accordingly, it would have been obvious to one of ordinary skill in the art to modify D'Luna in order allow the circuit to select a designated bus. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

As to claim 7,

D'Luna discloses:

the video signal encoder includes a PAL or NTSC or SECAM encoder [0033]

Although D'Luna does not specifically disclose and wherein the video signal decoder includes an HDTV or PAL or NTSC or SECAM encoder, the examiner gives Official Notice that it is notoriously well known in the art to use NTSC for element 106.

Accordingly, it would have been obvious to one of ordinary skill in the art to modify D'Luna in adhere and comply with television standards so as to utilize existing

Art Unit: 2612

technology and cost efficiency. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

and wherein the video signal decoder includes an HDTV or PAL or NTSC or SECAM decoder ([0054]; [0065]).

As to claim 8,

Although D'Luna does not specifically disclose further comprising memory and disk storage, the memory and the disk storage being accessible via a command bus that is coupled to the input, the output and to the graphics processing assembly, the examiner gives Official Notice that it is notoriously well known in the art to use a memory and disk storage. Accordingly, it would have been obvious to one of ordinary skill in the art to modify D'Luna in order to allow a person to incorporate a harddrive in a STB for the purpose of recording TV shows. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

As to claim 9, Although D'Luna does not specifically disclose the disk storage includes at least one of a magnetic hard disk and an optical disk reader and recorder, the examiner gives Official Notice that it is notoriously well known in the art to use a hard disk. Accordingly, it would have been obvious to one of ordinary skill in the art to modify D'Luna in order to allow a person to incorporate a hard disk in a STB for the purpose of recording TV shows. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

As to claim 27,

Art Unit: 2612

Although D'Luna does not specifically disclose the device is configured to retrieve a list of available service and content providers from a remote server over a network, based upon a localization indicium supplied to the remote server, the examiner gives Official Notice that it is notoriously well known in the art to utilize a localized EPG wherein the user may enter his zip code to receive a list of available channels. Accordingly, it would have been obvious to one of ordinary skill in the art to modify D'Luna in order to allow a person to receive customized information pertaining to his locality. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

As to claim 28,

Although D'Luna does not specifically disclose the localization indicium is selected from a group including an area code of a region in which the device is located, a geographical coordinate obtained from Global Positioning Satellites and an indication of a present time and time zone, the examiner gives Official Notice that it is notoriously well known in the art to customize an EPG to correspond to the time zone the user is located. Accordingly, it would have been obvious to one of ordinary skill in the art to modify D'Luna so as to allow the user to have a customized EPG. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

As to claim 33,

Art Unit: 2612

Although D'Luna does not specifically disclose further comprising a removable drawer including a plurality of electronic modules, the removable drawer being configured to electrically couple selected one of the plurality of electronic modules to at least one of the command bus, the analog bus and the digital bus, the examiner gives Official Notice that it is notoriously well known in the art to utilize a removable drawer. Accordingly, it would have been obvious to one of ordinary skill in the art to modify D'Luna so as to allow the user to upgrade or alter the system. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

As to claim 34,

Although D'Luna does not specifically disclose further comprising means for recording incoming analog or digital video streams and storing the recorded video streams on the disk storage, the examiner gives Official Notice that it is notoriously well known in the art to record data on a disk. Accordingly, it would have been obvious to one of ordinary skill in the art to modify D'Luna in order to allow a person to incorporate a hard disk in a STB for the purpose of recording TV shows. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

3. Claim(s) 17, 23, 25-28, and 38 is/are rejected under 35 U.S.C. § 103(a) as being unpatentable over D'Luna et al. (20020106018) in view of Lorenz et al. (20050039214).

As to claim 17, Lorenz discloses:

further comprising an integrated video camera (fig. 3, element 230).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify D'Luna with Lorenz so as to for a method of providing a context-sensitive customer support related to content being displayed by an interactive television system (Lorenz [0010]).

As to claim 23,

Although D'Luna in view of Lorenz does not specifically disclose further comprising a removable cover configured to be fitted over a front face of the interactive TV device to physically obscure a field of view of the camera, the examiner gives Official Notice that it is notoriously well known in the art to utilize a removable cover configured to be fitted over a front face of the interactive TV device. Accordingly, it would have been obvious to one of ordinary skill in the art to modify D'Luna in view of Lorenz in order to protect the surface of the device from dust, scratch or the like. These concepts are well known in the art and do not constitute a patentably distinct limitation, per se [M.P.E.P. 2144.03].

As to claim 25, Lorenz discloses:

the device is further configured to connect to at least one of a keyboard and a pointing device (fig. 2, elements 102 and 106).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify D'Luna with Lorenz so as to for a method of providing a context-sensitive customer support related to content being displayed by an interactive television system (Lorenz [0010]).

Art Unit: 2612

As to claim 26, Lorenz discloses:

further comprising at least one microphone (fig. 3, element 230).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify D'Luna with Lorenz so as to for a method of providing a context-sensitive customer support related to content being displayed by an interactive television system (Lorenz [0010]).

As to claim 38, Lorenz discloses:

further comprising means for composing and managing email (internet 112 [0033]; [0084]).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify D'Luna with Lorenz so as to for a method of providing a context-sensitive customer support related to content being displayed by an interactive television system (Lorenz [0010]).

4. Claim(s) 18-22 is/are rejected under 35 U.S.C. § 103(a) as being unpatentable over D'Luna (20020106018), in view of Lorenz (20050039214), and in further view of Lee (6507366).

As to claim 18,

Art Unit: 2612

Lorenz does not specifically disclose the video camera is configured to automatically track a person. Lee discloses the video camera is configured to automatically track a person (7, 6-31). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify D'Luna in view of Lorenz with Lee so that the person is 'always positioned in front of the lens of a camera' (Lee [1, 5-10]).

As to claim 19,

Lorenz does not specifically disclose further comprising an auto-tracking analog controller configured to control the integrated video camera using analog signals from a videocomposite signal generated by the integrated video camera. Lee discloses further comprising an auto-tracking analog controller configured to control the integrated video camera using analog signals from a videocomposite signal generated by the integrated video camera [7, 6-31]. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify D'Luna in view of Lorenz with Lee so that the person is 'always positioned in front of the lens of a camera' (Lee [1, 5-10]).

As to claim 20, Lee discloses:

the auto-tracking analog controller includes: means for separating scan lines signals and frames signals from the videocomposite signal; a horizontal displacement controller configured to generate a move left signal and a move right signal from the scan lines signals and the videocomposite signal to control right and left movement of the integrated video camera, and a vertical displacement controller configured to generate a

Art Unit: 2612

move up signal and a move down signal from the frames signals and the videocomposite signal to control up and down movement of the integrated video camera (Lee figs. 5 and 6 ; [7, 6-55]; [8, 5-30]).

As to claim 21, Lee discloses:

the horizontal displacement controller is configured to carry out a comparison of a current horizontal position of the person as determined from the scan lines signal and the videocomposite signal with a previous horizontal position of the person and to selectively output either the move right signal or the move left signal depending upon a result of the comparison (Lee figs. 5 and 6 ; [7, 6-55]; [8, 5-30]).

As to claim 22, Lee discloses:

the vertical displacement controller is configured to carry out a comparison of a current vertical position of the person as determined from the frame lines signal and the videocomposite signal with a previous vertical position of the person and to selectively output either the move up signal or the move down signal depending upon a result of the comparison (Lee figs. 5 and 6 ; [7, 6-55]; [8, 5-30]).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2612


mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shirley Chang whose telephone number is (571) 272-8546. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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